

REMARKS

Claims 1-20 were pending prior to filing this Response; claim 4 is cancelled herein; claims 21-23 are added; claims 1, 5-9, 13 and 20 are amended, and therefore claims 1-3 and 5-23 remain for consideration.

Claims 1-7, 10, 11, 13-19 and 20 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Douglass et al. (U.S. Pat. No. 4,281,456). The rejection is traversed and reconsideration is respectfully requested, particularly in view of the clarifying amendments to the claims.

Douglass is directed to a razor handle for use in conjunction with a replaceable blade assembly. The handle includes a grip portion, a neck portion extending from the grip portion, a first connector extending from a free end of the neck portion and adapted to engage a blade assembly to form a pivotal connection therebetween, and a second connector extending from the free end of the neck portion and adapted to fixedly interconnect with the blade assembly. However, Douglass does not teach or suggest a biasing member between the blade assembly and the pivot assembly, and a biasing member between the pivot assembly and the pivot frame that are respectively distinct elements from a connecting member between the blade assembly and the pivot assembly, and a connecting member between the pivot assembly and the pivot frame, as generally recited in amended independent claims 1, 13 and 20 of the present application.

The Examiner states in the Office Action of September 23, 2003 with respect to the claim rejection, that "[t]here is no difference between the biasing member and the connecting member in the claims. In order to overcome this issue, an introduction of the difference between the biasing member and the connecting member would be satisfactory."

In accordance with the Examiner's suggestion for placing the claims in condition for allowance, independent claims 1, 13 and 20 are amended to clarify that the biasing member between the blade assembly and the pivot assembly, and the biasing member between the pivot assembly and the pivot frame are respectively distinct elements from the connecting member between the blade assembly and the pivot assembly, and the connecting member between the pivot assembly and the pivot frame.

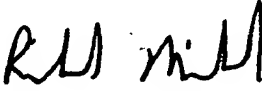
For an anticipation rejection to be appropriate, each and every element or limitation in a rejected claim must be shown in a single prior art reference used in the claim rejection. Because Douglass does not teach or suggest biasing members that are distinct from connecting members, as recited in amended independent claims 1, 13 and 20, it cannot be maintained that claims 1, 13 and 20 are anticipated by Douglass. Moreover, because remaining rejected claims 2, 3, 5-7, 10, 11 and 14-19 each ultimately depend from and thereby incorporate the limitations of one of independent claims 1, 13 and 20, these dependent claims are likewise deemed not anticipated by Douglass for at least the reasons set forth for independent claims 1, 13 and 20.

Claims 8, 9 and 12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including the limitations of the base claim and any intervening claims. New claims 21-23 are being added to correspond to claims 8, 9 and 12 rewritten in independent form. Accordingly, it is respectfully submitted that new claims 21-23 are allowable.

In view of the foregoing, it is respectfully submitted that claims 1-3 and 5-23 are allowable. All issues raised by the Examiner having been addressed, an early action to that effect is earnestly solicited.

A check in the amount of \$294.00 is included to cover the fee for adding two claims in excess of twenty (\$36.00) and the fee for adding three independent claims in excess of three (\$258). No additional fees or deficiencies in fees are believed to be owed. However, authorization is hereby given to charge our Deposit Account No. 13-0235 in the event any such fees are owed.

Respectfully submitted,

By 
Richard R. Michaud
Registration No. 40,088
Attorney for Applicant

McCormick, Paulding & Huber LLP
CityPlace II, 185 Asylum Street
Hartford, CT 06103-3402
Tel. (860) 549-5290